

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:05CR268 CDP
)	
HARRY JAMES SUTTON,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

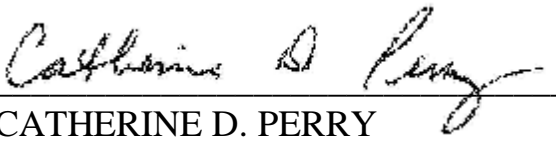
This matter is before the Court on defendant Harry James Sutton's motion to suppress evidence and statements. Pursuant to 28 U.S.C. § 636(b), the motion was referred to United States Magistrate Judge Thomas C. Mummert. An evidentiary hearing was held on August 16, 2005, and thereafter Judge Mummert filed his Report and Recommendation regarding the defendant's motion.

The Court has conducted a de novo review of all matters relevant to the motions, including listening to the recording of the evidentiary hearing. After careful consideration, the Court will adopt and sustain the thorough reasoning of Magistrate Judge Mummert set forth in support of his recommended rulings issued on August 17, 2005. The evidence shows that there is no basis for suppressing the evidence seized or the statements made by defendant.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [#23] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that defendant's motion to suppress evidence and statements [#15] is denied.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 8th day of September, 2005.